

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CV-115-D

SHAHNAZ POURSAIED,)
)
)
Plaintiff,)
)
)
v.)
)
)
SUMMERTVILLE AT FALLS RIVER-)
BANNER APARTMENT BUILDINGS,)
)
)
Defendant.)

ORDER

On February 14, 2018, Magistrate Judge Gates issued a Memorandum and Recommendation (“M&R”) and recommended that defendant’s motion to dismiss be allowed in part and denied in part. See [D.E. 31]. Neither party objected to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis removed) (quotation omitted). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R. Defendant’s motion to dismiss [D.E. 16] is GRANTED IN PART and DENIED IN PART.

SO ORDERED. This 1 day of March 2018.

J. Dever
JAMES C. DEVER III
Chief United States District Judge